

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 425 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KHIMJIBHAI JAMNADAS CHHATRALA

Versus

STATE OF GUJARAT

Appearance:

MR HARIN P RAVAL for Petitioners

PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 03/03/98

ORAL JUDGEMENT

1. Heard Mr.Harin P.Raval, Ld.advocate for petitioner and Ld.APP Mr.K.T.Dave appearing on behalf of respondent-State. Rule. Mr.K.T.Dave, Ld.APP waives service of rule. By consent of learned advocates appearing for parties matter is finally heard.

2. The petitioners have prayed for anticipatory bail on the apprehension that they are likely to be arrested on the allegations made by investigation agency attached with the Junagadh A Division Police Station for offences made punishable under sections 3 & 7 of the Essential Commodities Act.

3. Ld.APP Mr.K.T.Dave has stated at Bar that the the interrogation of the petitioners is almsot over and thereforew appropriate condition state has no objection.

4. In view of the above stated submission made by the Ld.APP following order is passed:

(i) That in the event of arrest of the present petitioners in respect to offences registered vide Cr.No.II-10/98 by the Junagadh A Division Police Station the petitioners be released on furnishing bond of Rs.10,000/- and surety for the like amount.

(ii) They shall remain present at Junagadh A Division Police Station on 10th March, 1998 at 11.00 a.m. and also at any further time as and when called for interrogation by written intimation.

(iii) It would be open to the investigating officers to file an application for remand if he considers it proper and the learned Magistrate would decide it on merits.

(iv) They shall not directly or indirectly make any inducement threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(v) They shall not leave India without the permission of this court.

A ll of which conditions shall be treated as conditions onn which bail is granted. This order will hold good if the petitioners are arrested at any time within 90 days from today. The order for release on bail will remain operative only for a period of ten days from the date of their arrest. Thereafter it will be open to the petitioners to make a fresh application for being enlarged on bail which when it comes before the competent court will be disposed of in accordance with law, having regard to all the attendant circumstances and the materials available at the relevant time uninfluenced by the fact that anticipatory bail was granted.

Rule is made absolute. Direct service permitted.

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